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EXAMINER

WANG, JIN CHENG

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/676,445

Applicant(s)

FRANKLIN ET AL.

Examiner

Jin-Cheng Wang

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22, 24-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: _____

Art Unit: 2672

DETAILED ACTION

Response to Amendment

The amendment B filed on 5/27/2003 has been entered. Claims 1, 16, 25, 26, 27, 28, 29, 30, 31, 32 have been amended. Claim 23 has been canceled.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-22, 24-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Laverty et al. U.S. Patent No. 6,429,947 (hereinafter Laverty).

3. Claim 1:

Laverty teaches a method of creating a web page from a vector graphics data file (the abstract, column 11, lines 4-15) comprising the following steps in the sequence set forth (e.g., figures 13-16):

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format (e.g., by a Raster Image Processor in column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56);

Art Unit: 2672

(2) Modifying the bitmap graphics data file by converting cyan, magenta, yellow, black (CMYK) color values to red, green, blue (RGB) color values (e.g., column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64); and

(3) Inserting the modified bitmap graphics data file into the web page (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of compressing the modified bitmap graphics data file prior to inserting. However, Lavery reference further discloses compressing the modified bitmap graphics data file prior to inserting (e.g., column 7, lines 34-45; column 45, lines 64-67; column 46, lines 1-4).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of compressing precedes modifying. However, Lavery further discloses compressing precedes modifying (e.g., column 7, lines 34-45; column 45, lines 64-67; column 46, lines 1-4).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the bitmap graphics file compressed by reducing the resolution of an image encoded in the file to less than 100 dots per inch. However, Lavery further discloses the bitmap

Art Unit: 2672

graphics file compressed by reducing the resolution of an image encoded in the file to less than 100 dots per inch (e.g., column 24, lines 33-47).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 4 except additional claimed limitation of the bitmap graphics file compressed by reducing the resolution of an image encoded in the file to about 72 dpi. However, Lavery further discloses the bitmap graphics file compressed by reducing the resolution of an image encoded in the file to about 72 dpi (e.g., column 37, lines 30-40).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the bit map graphics file being compressed by converting the bit map graphics file to a joint photographic experts (jpeg) file.

However, Lavery further discloses the claimed limitation of the bit map graphics file being compressed by converting the bit map graphics file to a joint photographic experts (jpeg) file (e.g., figure 39; column 37, lines 30-40).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 6 except additional claimed limitation of the bit map graphics file being converted to a jpeg file by opening the bit map graphics file in a paint program and exporting the bit map graphics file to a jpeg file format.

However, Lavery further discloses the claimed limitation of the bit map graphics file being converted to a jpeg file by opening the bit map graphics file in a paint program and

Art Unit: 2672

exporting the bit map graphics file to a jpeg file format (e.g., figure 39; column 2, lines 45-60; column 12, lines 30-40; column 37, lines 30-40).

Claim 8:

The claim 8 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the bit mapped graphics file being compressed by converting the bit mapped graphics file to a graphics interchange format (gif) file.

However, Lavery further discloses the claimed limitation of the bit mapped graphics file being compressed by converting the bit mapped graphics file to a graphics interchange format (gif) file (e.g., figure 39; column 11, lines 4-16).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the bitmap graphics file compressed by converting the bitmap graphics file to a tif format file. However, Lavery further discloses the bitmap graphics file compressed by converting the bitmap graphics file to a tif format file (e.g., column 7, lines 34-45; column 45, lines 64-67; column 46, lines 1-4).

Claim 10:

The claim 10 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the bitmap graphics file being compressed by converting the bitmap graphics file to an xbm file. However, Lavery further discloses the bitmap graphics file compressed by converting the bitmap graphics file to an xbm file (e.g., figure 39; column 11, lines 4-16).

Art Unit: 2672

Claim 14:

The claim 14 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of modifying precedes converting. However, Lavery further discloses the claimed limitation of modifying precedes converting (e.g., column 4, lines 60-67; column 7, lines 33-45).

Claim 15:

The claim 15 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the vector graphics file being a prepress data file. However, the Lavery further discloses the claimed limitation of the vector graphics file being a prepress data file (e.g., column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56).

Claim 16:

The claim 16 encompasses the same scope of invention as that of claim 15 except additional claimed limitation of the prepress data file being created using a software application program selected from the group consisting of QuarkXPress, Adobe Illustrator, Macromedia Freehand, Adobe PageMaker, Corel Draw and Adobe Acrobat. However, Lavery further discloses the prepress data file being created using a software application program selected from the group consisting of QuarkXPress, Adobe Illustrator, Macromedia Freehand, Adobe PageMaker, Corel Draw and Adobe Acrobat (e.g., column 2, lines 45-60; column 3, lines 5-26).

Claim 17:

Art Unit: 2672

The claim 17 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the web page being a markup language file. However, Lavery further discloses the claimed limitation of the web page being a markup language file (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

Claim 18:

The claim 18 encompasses the same scope of invention as that of claim 17 except additional claimed limitation of the markup language selected from the group consisting of html, xml, cfml, cxml, hdml, sgml, smil, xhtml, xsl, and wml. However, Lavery further discloses claimed limitation of the markup language selected from the group consisting of html, xml, cfml, cxml, hdml, sgml, smil, xhtml, xsl, and wml (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

Claim 19:

The claim 19 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the bitmap graphics file being an eps file. However, the Lavery further discloses the claimed limitation of the bitmap graphics file being an eps file (e.g., column 22, lines 19-35; column 25, lines 25-40).

Claim 20:

The claim 20 encompasses the same scope of invention as that of claim 19 except additional claimed limitation of the rendered eps file being an 8.5" by 11" image. However, Lavery further discloses the claimed limitation of the rendered eps file being an 8.5" by 11" image (e.g., column 22, lines 19-35; column 25, lines 25-67).

Art Unit: 2672

Claim 21:

The claim 21 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the vector graphics data file being a prepress data file, the bitmap graphics file being an eps file, and the prepress data file being converted to an eps file by exporting the prepress data file in its native file format to an eps format. However, Lavery further discloses the claimed limitation of the vector graphics data file being a prepress data file, the bitmap graphics file being an eps file, and the prepress data file being converted to an eps file by exporting the prepress data file in its native file format to an eps format (e.g., column 22, lines 19-35; column 25, lines 25-67).

Claim 22:

The claim 22 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the vector graphics data file being a prepress data file, the bitmap graphics file being an tif file, and the prepress data file being converted to a tif file by exporting the prepress data file in its native file format to a tif format. However, Lavery further discloses the claimed limitation of the vector graphics data file being a prepress data file, the bitmap graphics file being an tif file, and the prepress data file being converted to a tif file by exporting the prepress data file in its native file format to a tif format (e.g., column 7, lines 34-45; column 45, lines 64-67; column 46, lines 1-4).

Claim 24:

The claim 24 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the CMYK color values converted to RGB color values using a

Art Unit: 2672

paint program. However, Lavery further discloses the claimed limitation of the CMYK color values converted to RGB color values using a paint program (e.g., column 40, lines 35-67).

4. Claim 25:

Lavery has taught a method of creating a web page from a vector graphics data file (the abstract, column 11, lines 4-15) comprising the following steps in the sequence set forth (e.g., figures 13-16):

(1) Converting the vector graphics data file from its native file format to a bitmap graphics file format (e.g., by a Raster Image Processor in column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56);

(2) Compressing the bitmap graphics file by reducing the resolution of an image encoded in the file to less than 100 dots per inch by converting cyan, magenta, yellow, black color values to red, green, blue (RGB) color values (e.g., column 24, lines 33-47; column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64); and

(3) Modifying the bitmapped graphics file (e.g., column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64).

5. Claim 26:

Lavery teaches a method of creating a web page from a vector graphics data file (the abstract, column 11, lines 4-15) comprising the following steps in the sequence set forth (e.g., figures 13-16):

Art Unit: 2672

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format (e.g., by a Raster Image Processor in column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56);

(2) Modifying the bitmap graphics data file by converting cyan, magenta, yellow, black color values to red, green, blue (RGB) color values (e.g., column 24, lines 33-47; column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64); and

(3) Inserting the modified bitmap graphics data file into a web page template (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

6. Claim 27:

Laverty has taught a method of creating a plurality of web pages from a vector graphics data file (the abstract, column 11, lines 4-15), wherein the plurality of web pages is substantially identical to a printed publication rendered from the vector graphics data file (e.g., column 7, lines 33-45) comprising the following steps in the sequence set forth (e.g., figures 13-16):

(1) Converting each of a plurality of pages of a printed publication rendered from the vector graphics data file from its native file format to a bitmap graphics file format (e.g., by a Raster Image Processor in column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56);

(2) Modifying each of the plurality of the bitmap graphics data file by converting cyan, magenta, yellow, black color values to red, green, blue (RGB) color values (e.g., column 24, lines 33-47; column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64);

Art Unit: 2672

(3) Inserting each of the plurality of the modified bitmap graphics data file into a web page (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16); and

(4) Linking the plurality of web pages such that the plurality of web pages is substantially identical to the layout and content of the printed publication (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

7. Claim 28:

Laverty has taught a method of displaying a plurality of products on a website in connection with the offering for sale of the plurality of products (the abstract, column 11, lines 4-15), the method comprising the following steps in the sequence set forth (e.g., figures 13-16):

(1) Creating a vector graphics data file, wherein the vector graphics data file includes data capable of being converted to a press plate to create a catalog printed on paper (e.g., column 6, lines 20-67; column 12, lines 31-67; column 14, lines 1-11);

(2) Deriving from the vector graphics data file an electronic catalog, wherein the electronic catalog appears to be substantially identical to the catalog printed on paper (e.g., column 6, lines 20-67; column 12, lines 31-67; column 14, lines 1-11); and

(3) Making the electronic catalog available for viewing using a browser (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

8. Claim 29:

Art Unit: 2672

Laverty has taught a method of displaying a plurality of products on a website in connection with the offering for sale of the plurality of products (abstract, column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16), the method comprising the following steps in the sequence set forth (e.g., figures 13-16):

(1) Creating a composite file comprised of a vector graphics data file and an image file, wherein the composite file is capable of being converted to a press plate for a catalog printed on paper (e.g., column 6, lines 20-67; column 12, lines 31-67; column 14, lines 1-11);

(2) Deriving from the composite file an electronic catalog, wherein the electronic catalog appears to be substantially identical to the catalog printed on paper (e.g., column 6, lines 20-67; column 12, lines 31-67; column 14, lines 1-11); and

(3) Making the electronic catalog available for viewing using a browser (column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

9. Claim 30:

Laverty has taught a method of creating a web page from a vector graphics data file (abstract, column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16) comprising the following steps in the sequence set forth (e.g., figures 13-16):

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format including both text and images (e.g., by a Raster Image Processor in column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56);

Art Unit: 2672

(2) Modifying the bitmap graphics data file by converting cyan, magenta, yellow, black color values to red, green, blue (RGB) color values (e.g., column 24, lines 33-47; column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64);

(3) Correcting errors in the text that occur when the vector graphics data file was converted from its native file format to a bitmap graphics file format (e.g., column 3, lines 1-26; column 8, lines 19-43); and

(4) Inserting the modified bitmap graphics data file into a web page (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

10. Claim 31:

Laverty has taught a method of communication comprising: displaying on a web browser a web page made by creating the web page from a vector graphics data file (abstract, column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16), including the following steps in the sequence set forth (e.g., figures 13-16):

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format including both text and images (e.g., by a Raster Image Processor in column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56);

(2) Modifying the bitmap graphics data file by converting cyan, magenta, yellow, black color values to red, green, blue (RGB) color values (e.g., column 24, lines 33-47; column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64); and

Art Unit: 2672

(3) Inserting the modified bitmap graphics data file into a web page (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

11. Claim 32:

Lavery has taught an article of manufacture (figures 39, 40A and 40B) comprising: a terminal connected to a network and including a video display terminal (figures 39, 40A and 40B; column 46, lines 30-67; column 47, lines 1-33), the video display terminal displaying a displayed web page made by creating the web page from a vector graphics data file (abstract, column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16), including the following steps in the sequence set forth (e.g., figures 13-16):

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format including both text and images (column 11, lines 59-65, and column 23, lines 28-33);

(2) Modifying the bitmap graphics data file by converting cyan, magenta, yellow, black color values to red, green, blue (RGB) color values (e.g., column 24, lines 33-47; column 20, lines 35-50; column 23, lines 30-56; Table 2; column 41, lines 1-64); and

(3) Inserting the modified bitmap graphics data file into the web page (e.g., column 11, lines 1-67; column 12, lines 1-39; column 20, lines 35-67; column 21, lines 45-67; column 22, lines 1-16).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lavery et al. U.S. Patent No. 6,429,947 as applied to claim 1 above, and further in view of King et al. U.S. Patent No. 5,956,737.

(1) The U.S. Patent No. 6,429,947 to Lavery et al. has taught a method of creating a web page from a vector graphics data file (abstract; column 11, lines 4-15) comprising the step of converting the vector graphics data file from its native file format to a bit map graphics file format (by Raster Image Processor in column 4, lines 60-67; column 13, lines 13-52; column 20, lines 35-67; column 23, lines 30-56).

(2) However, it is not clear whether Lavery et al. teaches implicitly on tagging the modified bitmap graphics data file as an inline image or an external image and the inline image being a link to a higher resolution version of an image that is substantially the same as the inline image.

(3) King et al. has taught a method of fitting electronic content elements to a medium and automatically performing document layout in which content can be encapsulated either as a link to an external object (external image), or as an embedding and built-in content encapsulations

represent both free-standing objects, such as text files, and nested sub-objects, such as the sections and paragraphs of text files (column 14, lines 25-31 of King).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the King's teaching into the raster image processing of Lavery's prepress workflow because this would support the separated representation of content, media, and design (see for example column 14, lines 15-21 of King).

In column 8, lines 9-20, Lavery suggests that a single electronic file format provides the ability to tag certain elements to indicate whether they should be included in the preview layout such as the internet layout and that the software programs that read and process the information check these tags to determine the exact content required at that stage.

Moreover, both references have addressed the same subject matter of how components can be rendered to a particular media such as the Internet.

(5) One having the ordinary skill in the art would have been motivated to do this because it would allow media objects to be advantageously combined with media object encapsulations that represent both free-standing objects such as printed documents, and nested sub-objects such as the individual page regions associated with components of printed documents (column 14, lines 32-54 of King).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2672

Popa U.S. Patent No. 6,006,231 discloses a method of creating and storing an image on a computer file compatible with any compression algorithm such as JPEG, TIFF, GIF and EPS and any color space.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213.

The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
July 11, 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600